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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/823,524

03/30/2001

Gregory Kent Plunkett

21426-013

8698

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7590

01/05/2007

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EXAMINER

CASLER, TRACI

ART UNIT

PAPER NUMBER

3629

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

01/05/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

# Office Action Summary

Application No.

09/823,524

Applicant(s)

PLUNKETT ET AL.

Examiner

Traci L. Casler

Art Unit

3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 25 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 3-10, 12, 14-23, 26, 34 and 35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 3-10, 12, 14-23, 26 and 34-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

This action is in response to papers filed on September 25, 2006.

Claims 3 and 14 have been amended.

Claims 3-10, 12, 14-23, 26 and 34-35 are pending.

Claims 3-10, 12, 14-23, 26 and 34-35 are rejected.

#### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on September 26, 2006 has been entered.

#### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.

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2. Ascertaining the differences between the prior art and the claims at issue.
  3. Resolving the level of ordinary skill in the pertinent art.
  4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
4. Claims 3-10, 12, 14-23, 26 and 34-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6862596 Thomsen; System and Method for Retrieving and Displaying Data, such as economic data relating to salaries, cost of living and employee benefits; hereinafter referred to as Thomsen; and further in view of non-patent literature [www.careerbuilder.com](http://www.careerbuilder.com); any linkage Feb. 29, 2000. Hereinafter referred to as Career builder.
5. As to claims 3 and 14 Thomsen teaches  
User inputting information based on job categories and receiving compensation information based on the user input(selection)(C. 5 I. 47-50)  
User selecting job comparison information based on two geographic regions and compensation information(C. 51-56)  
Thomsen fails to teach transmitting indicia of links to job opportunity in which the links contain information relating to one opportunity. However, Career builder teaches supplying salary comparison information along with links to information regarding job opportunities.(Pg. 6 Ref. A). It would have been obvious to one of ordinary skill in the art to combine Career Builder with Thomsen so as to allow a user that is considering a career move the opportunity to see if jobs are available in a desired area <sup>or</sup> a salary has been determine.
6. As to claims 4-7 and 15-17 and 19-20 Thomsen teaches user prompts include job categories, interests and geographical areas.

7. As to claims 8 and 21 Thomsen teaches description of job category(C. 7 l. 6-11).
8. As to claims 9 and 22 Compensation includes salary information(C. 5 l. 25-26).
9. As to claims 10 and 23 compensation information considering a plurality of salaries associated with a job type(C. 8 l. 27-30).
10. As to claims 12 and 26 Thomsen teaches transmitting the salary information in a graphical display(C. 6 l. 65-67).
11. As to claim 18 Thomsen teaches a database that stores all types of compensation/salary information and job information(C. 5 l. 26-34).
12. As to claims 34 and 35 Thomsen fails to teach transmitting indicia of links to job opportunity in which the links contain information relating to one opportunity. However, Career builder teaches supplying salary comparison information along with links to information regarding job opportunities.(Pg. 6 Ref. A). It would have been obvious to one of ordinary skill in the art to combine Career Builder with Thomsen so as to allow a user that is considering a career move the opportunity to see if jobs are available in a desired area once a salary has been determined.

### ***Response to Arguments***

13. Applicant's arguments with respect to claims 3-10, 12, 14-23, 26 and 34-35 have been considered but are moot in view of the new ground(s) of rejection.

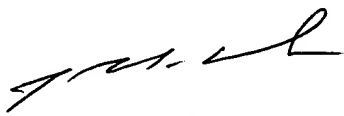
**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Traci L. Casler (formerly Smith) whose telephone number is 571-272-6809. The examiner can normally be reached on Monday-Thursday 6:00 am-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on 571-272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TLC

  
JOHN G. WEISS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER